

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re:

CYNTHIA CARRSOW-FRANKLIN

CHAPTER 13

DEBTOR

Case No. 10-20010(RDD)

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**ORDER DISALLOWING AND EXPUNGING CLAIMS
OF WELLS FARGO BANK, NA**

Upon the objection, dated October 4, 2010 (the “Claims Objection”), of the debtor herein (the “Debtor”), pursuant to 11 U.S.C. § 502 and Fed. R. Bankr. P. 3007, to the claims filed in this case by Wells Fargo Bank, NA; and there being due and sufficient notice of the Claims Objection, and no additional notice being required; and upon Wells Fargo Bank, NA’s opposition to the Claim Objection and all pleadings filed in connection therewith; and upon the record of the evidentiary hearing held by the Court on the Claims Objection on December 3, 2013; and the Court having jurisdiction over the Claims Objection pursuant to 28 U.S.C. §§ 157(a)-(b) and 1334(b); and the Claims Objection being a core proceeding under 11 U.S.C. § 157(b)(2)(B) that the Court may determine by final order; and, after due deliberation, the Court having found and concluded, for the reasons stated in the Court’s Memorandum of Decision on Debtor’s Objection to Claim of Wells Fargo Bank, NA, dated January 28, 2015, that (a) the Debtor has rebutted the presumptive validity under Fed. R. Bankr. P. 3001(f) of the claims of Wells Fargo Bank, NA against the Debtor in this case, (b) Wells Fargo Bank, NA has not established the validity of such claims, and (c) such claims should be disallowed and expunged; now, therefore, it is hereby

ORDERED, that the Claims Objection is granted and Proofs of Claim Nos. 1-1 and 1-2, dated September 29, 2010 (amending Claim No. 1-1) filed in this case by or on behalf of Wells Fargo Bank, NA against the Debtor are disallowed and expunged. The Claims Register in this case will reflect that the foregoing claims of Wells Fargo Bank, NA against the Debtor have been disallowed and expunged.

Dated: White Plains, New York
February 9, 2015

/s/ Robert D. Drain
United States Bankruptcy Judge